

PB# 96-27

**SCHLESINGERS
(ACCESSORY BUILDING)**

4-3-11

Withdrawn 11-20-96

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12553

General Receipt

15938

Received from

293 Temple Hill Road, Inc. \$100.00
One Hundred and 00 DOLLARS
For P.B. #96-27 Application Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CE# 1114</u>		<u>100.00</u>

By Dorothy Hansen
Town Clerk
TITLE

WILLIAMSON LAW BOOK CO., VICTOR, NY 14564

DATE

October 15, 1996

RECEIPT NUMBER 96-27

RECEIVED FROM

293 Temple Hill Rd, Inc

Address

293 Temple Hill Rd - New Windsor, N.Y. 12553

Seven Hundred Fifty 00/100 DOLLARS \$750.00

FOR

Site Plan Escrow

ACCOUNT			HOW PAID		
BEGINNING BALANCE	<u>750.00</u>		CASH		
AMOUNT PAID	<u>750.00</u>		CHECK	<u>#1115</u>	
BALANCE DUE	<u>-0-</u>		MONEY ORDER		

By Myra Mason by to the P.B.

Wilson Jones • Carbonless • 51643-W/C • Duplicate • 51644-W/C • Triplicate

MADE IN U.S.A.
© Wilson Jones, 1990

Union Clerk
TITLE

DATE October 15, 1996 RECEIPT NUMBER 96-27
 RECEIVED FROM 293 Tenth Hill Rd, Inc
 Address 293 Tenth Hill Rd - New Windsor, N.Y. 12553
Seven Hundred Fifty 00/100 DOLLARS \$750.00
 FOR Site Plan Escrow

ACCOUNT		HOW PAID	
BEGINNING BALANCE	750 00	CASH	
AMOUNT PAID	750 00	CHECK	# 1115
BALANCE DUE	- 0 -	MONEY ORDER	

12
Myra M. King with P.B.

Wilson Jones - Carbonless - 5162-WJCL-Opticare - 5164-WJCL-Opticare

MADE IN U.S.A.
© Wilson Jones, 1996

\$ 103.50
 Eng

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/20/96

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 96-27

NAME: 293 TEMPLE HILL ROAD, INC. - SITE PLAN
APPLICANT: 293 TEMPLE HILL ROAD, INC.

---DATE---	DESCRIPTION-----	TRANS	---AMT-CHG	---AMT-PAID	---BAL-DUE
10/15/96	REC. CK. #1115	PAID		750.00	
10/23/96	P.B. ATTY. FEE	CHG	35.00		
10/23/96	P.B. MINUTES	CHG	13.50		
11/13/96	P.B. ENGINEER FEE	CHG	103.50		
11/20/96	RETURN TO APPLICANT	CHG	598.00		
		TOTAL:	750.00	750.00	0.00

*Please issue a check in
the amount of \$598.00 to:*

*293 Temple Hill Rd, Inc.
293 Temple Hill Rd.
New Windsor, N.Y. 12553*

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/20/96

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
W [Disap, Appr]

FOR PROJECT NUMBER: 96-27

NAME: 293 TEMPLE HILL ROAD, INC. - SITE PLAN
APPLICANT: 293 TEMPLE HILL ROAD, INC.

---DATE---	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/04/96	RECEIVED LETTER OF WITHDRAWAL	WITHDRAWN
10/23/96	P.B. APPEARANCE	REFER TO ZBA
10/02/96	WORK SESSION APPEARANCE	SUBMIT
09/11/96	P.B. APPEARANCE - PRESUBMISSN	SUBMIT APPLICATION
09/04/96	WORK SESSION APPEARANCE	PRESUBMISSION
08/21/96	WORK SESSION APPEARANCE	SET PRESUBMISSION

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/23/96

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 96-27

NAME: 293 TEMPLE HILL ROAD, INC. - SITE PLAN

APPLICANT: 293 TEMPLE HILL ROAD, INC.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	10/15/96	MUNICIPAL HIGHWAY	10/18/96	APPROVED
ORIG	10/15/96	MUNICIPAL WATER	10/21/96	APPROVED
ORIG	10/15/96	MUNICIPAL SEWER	/ /	
ORIG	10/15/96	MUNICIPAL FIRE	10/23/96	APPROVED

293 TEMPLE HILL ROAD, INC.
293 TEMPLE HILL ROAD
NEW WINDSOR, NY 12553

October 31, 1996

Mr. James Petro
New Windsor Planning Board
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, NY 12553

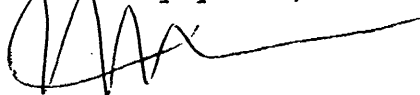
Re: Planning Board Application Submittal
For Auto Display & Sales Proposal

Gentlemen:

This is to inform you that I, Neil Schlesinger, 293 Temple Hill Road, Inc. wish to withdraw my application for zoning board variance submitted by Planning Board for an Auto Display & Sales Showroom.

Thank you.

Sincerely yours,

A handwritten signature in black ink, appearing to be 'Neil Schlesinger', with a long horizontal line extending to the right.

Neil Schlesinger
President



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

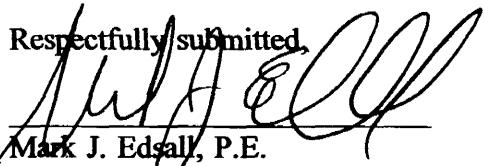
REVIEW NAME: 293 TEMPLE HILL ROAD (SCHLESINGER) SITE PLAN
PROJECT LOCATION: 293 TEMPLE HILL ROAD
SECTION 4-BLOCK 3-LOT 11
PROJECT NUMBER: 96-27
DATE: 23 OCTOBER 1996
DESCRIPTION: THE APPLICANT IS PROPOSING AN AMENDMENT TO THE
EXISTING RESTAURANT SITE PLAN, TO INCLUDE USED
AUTO SALES AT THE LEFT FRONT CORNER OF THE SITE.
THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located within the "PI" Zoning District of the Town. The proposed use vehicle sales is not a use by right or by special permit in the Zoning District; as such, it is my understanding that a use variance would be required.

The Applicant is also proposing display parking spaces which are 7.5' X 18', which are less than the prescribed parking space dimensions in the code. A variance should also be obtained for this sizing.

2. In addition to the new use as indicated above, the Applicant is also proposing revisions to the parking layout on the site. If the Applicant is successful in obtaining the use variance, as part of the subsequent review by the Planning Board, these parking space layout modifications should also be reviewed.
3. Until such time that the Applicant has obtained the necessary variances, a detailed review of this plan has not been performed. If the Applicant obtains the necessary variances, a detailed review will be performed, as deemed necessary by the Planning Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A:293.mk

REGULAR ITEMS:

293 TEMPLE HILL ROAD SITE PLAN (96-27) ROUTE 300

Mr. Drew Kartiganer appeared before the board for this proposal.

MR. PETRO: Which one is this?

MR. KARTIGANER: Schlesinger's, we have come before you before, they have a small accessory building, it seems to have been a garage before Mr. Schlesinger is here, he's the owner, we have an area that we want to try and park some vehicles for display, he has, he sells cars, basically, he older cars, also sell some late model cars and wants to display some in the front area and perhaps one car on the side of the building. He has sufficient parking, given the use of the restaurant in addition to providing three parking spaces for the proposed auto showroom area. Restaurant has 104 seats, 35 parking spaces. Required is 35, he has 39 as it stands now. Issue is that this is going to require a variance because it's not allowed in the PI zone.

MR. PETRO: What kind of a variance?

MR. KARTIGANER: Use variance. We also don't know what use to reference that to with regard to what series of requirements that we're going to have to conform with, planning or zoning wise, so we need not list anything like that. The size of the parking spaces is referenced, we have got 6 cars to be displayed, they would not be drivable or they would not be parked, they'd be on display, spaces are set so the vehicles can be parked close together for display and they are not the full size parking spaces typical of New Windsor standards. We're going to need use variances, I'm not sure if we need in any other variances.

MR. PETRO: Use variance is very difficult, you realize that sometimes.

MR. KARTIGANER: It is an accessory use, the restaurant is the primary use, this little building has had a variety of uses in it, none of which have stuck or

stayed.

MR. PETRO: Accessory use that is the whole key there, accessory use to the main use of the larger building, obviously selling cars is not going to be conducive to selling dinners inside that building, there's really two completely different uses.

MR. KARTIGANER: Did I say accessory use?

MR. DUBALDI: Yes.

MR. KARTIGANER: That would not be the correct terminology, it's going to be a separate use but it is going to be tied to Mr. Schlesinger's directly.

MR. PETRO: Let me say this from the board obviously we're going to pass you along to the zoning board. But I'd rather hold any motions at that time that would be positive or negative, I really want to see what the zoning board has to say about this. I'm not saying negative, not saying positive, we'll take a motion but we'll review it obviously in depth. If it should come back to us on a planning board level but I don't think we should do anything more with it at this time other than just send it to it zoning board. If Mr. Schlesinger's successful in receiving the variances, then we'll look at it but without any recommendation.

MR. KARTIGANER: That is fine, okay.

MR. PETRO: Can I have a motion?

MR. LANDER: So moved.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board approve the 293 Temple Hill Road site plan on Route 300. Is there any further discussion from the board members? If not, roll call.

MR. DUBALDI: Lot line change.

ROLL CALL

October 23, 1996

15

MR. DUBALDI	NO
MR. STENT	NO
MR. LUCAS	NO
MR. LANDER	NO
MR. PETRO	NO

MR. PETRO: You have now been sent to the New Windsor Zoning Board for the necessary variances.

RESULTS OF P.E. MEETING

DATE: 10-23-96

PROJECT NAME: 293 Temple Hill Rd. PROJECT NUMBER 96-27

LEAD AGENCY:

* NEGATIVE DEC:

M) S) VOTE: A N

* M) S) VOTE: A N

CARRIED: YES NO

* CARRIED: YES: NO

PUBLIC HEARING: M) S) VOTE: A N

WAIVED: YES NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.E.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A N APPR. CONDITIONALLY:

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/23/96

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 96-27

NAME: 293 TEMPLE HILL ROAD, INC. - SITE PLAN
APPLICANT: 293 TEMPLE HILL ROAD, INC.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	10/15/96	EAF SUBMITTED	10/15/96	WITH APPLICATION
ORIG	10/15/96	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	10/15/96	LEAD AGENCY DECLARED	/ /	
ORIG	10/15/96	REQUEST FOR INFORMATION	/ /	
ORIG	10/15/96	DECLARATION (POS/NEG)	/ /	

RESULTS OF P.B. MEETING

DATE: 9/11/96

PROJECT NAME: Schlesingers Cars PROJECT NUMBER 96- 27

LEAD AGENCY:

* NEGATIVE DEC:

M) S) VOTE: A N

* M) S) VOTE: A N

CARRIED: YES NO

* CARRIED: YES: NO

PUBLIC HEARING: M) S) VOTE: A N

WAIVED: YES NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A N APPR. CONDITIONALLY:

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

PI ~~TE~~ Zone

Show spaces for cars of sale

Will not be leased out to other car dealer

Number of cars (6)

Need Applic + plan before sending to Z.B.A.

SCHLESINGER, NEIL - TEMPLE HILL ROAD SITE PLAN

Mr. Drew Kartiganer appeared before the board for this proposal.

MR. KARTIGANER: What's happening here is this is preliminary discussion to get an idea from the board as to what you're looking for us to go through. Mr. Schlesinger's steakhouse which I'm sure you all know what it is, Schlesingers Steakhouse has the main building which is a restaurant and there's a side accessory building, I'm not exactly sure how we want to classify that, it's been used for anything from retail to a catering facility to a variety of other uses. What's happening is Neil has a business and what he'd like to do at this point is be able to sell vehicles which is what that business is and he'd like to display some vehicles out of this site. In the front area right by the auto area what we're asking for now is some sort of the reading from the board with regard to the acceptability of proposed use relates to some conditions that we'll notate to you with regard to that proposed use as a specific condition and make you aware of what the parking impact and that kind of stuff is with regard to the site plan.

MR. PETRO: What zone is it in?

MR. KARTIGANER: It's in an NC zone and it's not an allowed use if you call it a used car dealership, it's not an allowed use within that dealership. But also can we be necessarily calling it a used car dealership because as conditions, there's not going to be any repair of vehicles on the site, there's not going to be any storage of vehicles on the site relating to you know under operable vehicles.

MR. PETRO: Retailing these vehicles on the site from the site.

MR. SCHLESINGER: Yes.

MR. BABCOCK: Maybe I can correct one thing you said you said it's an NC zone, I believe it's a PI zone.

MR. KARTIGANER: Okay, that is my fault then I lost my maps and I had somebody--

MR. PETRO: It's not allowed in the PI zone.

MR. BABCOCK: That is correct.

MR. PETRO: It's allowed in the NC as we determined in the past.

MR. BABCOCK: Right.

MR. PETRO: It's a PI zone so you'd have to go to the zoning board regardless you'd need input to go to the zoning board.

MR. STENT: Is that a separate parcel?

MR. KARTIGANER: It's one large parcel and specific points that you should understand about it is actually more parking on the site than was necessary when you do a calculation on the restaurant which seats 104 and if you were to treat this area here as an office building or retail, we treat it as worse case scenario, which is retail, you need 4 additional parking spaces, there's 600 square foot on the site that is 39 spaces in total even after you lose the areas, we have got 41 parking spaces on the site.

MR. LUCAS: That was retail.

MR. PETRO: Let me come in here, Mr. Kartiganer, you pulled out the original site plan and--

MR. KARTIGANER: This is the site plan I got it from Neil Brevits (phonetic), the original site plan, I don't know--

MR. PETRO: Cause I believe the small building and I don't know whether Neil was aware of this when he purchased the property or not was incidental use to the main use of the larger building so whether or not that classified it as retail or not, I don't want to get into that at this time. Am I saying that correctly? It had to go along with the main use of the building

which was a restaurant, Brewster House, and they were in fact going to do some cooking in there.

MR. LANDER: They were selling gourmet foods, I believe it was.

MR. PETRO: So it coincided with the use of the main building, now whether or not that means that you can now sell sweaters in there or liquor or something else, I don't know, I don't want to get into that. Mike, that is more in your department, correct, so by labeling that as retail, I don't know if we should do that or not.

MR. BABCOCK: Right, I don't believe that is what it was called.

MR. PETRO: That was not our intention in the beginning.

MR. BABCOCK: That is correct.

MR. LUCAS: Then it was real estate.

MR. SCHLESINGER: And I don't know the technicalities of this but I know that at one point or another, they had come before the board explaining what he was going to occupy the building for and I'd be fair to assume that he--

MR. LANDER: Real estate end of it.

MR. KRIEGER: He came before the zoning board for a variance on the sign.

MR. PETRO: What happens sometimes the building department may work with an applicant to try and keep things from being vacant all the time. If there's any gray area whatsoever, the same as this board does we give it to the applicant to keep everybody in business but really whether or not we can actually label that as retail at this time, I don't know whether we can do that so if you follow what I am trying to tell you.

MR. SCHLESINGER: I think I do.

MR. LANDER: He's saying it's a real estate office now, he must of came back here to get that change of use which he never came back in here to get, in other words, it went from gourmet food store to a real estate office and he never came back in here as far as I know for that.

MR. KARTIGANER: The assumption I'm making was, I'm just talking about what the parking requirements worse case scenario would be given the potential use of that store as retail, the potential use of 104 seating area, you have the requirement for 39 parking spaces on this site the way it's currently laid out, even taking this out is we have over 40 I believe it came to 41.

MR. PETRO: Wasn't the handicapped parking over on that side?

MR. KARTIGANER: One of the ones we had seen before had handicapped parking over here.

MR. SCHLESINGER: It's over here now, it actually is there now that is there by the front door now and on this plan it is but on this plan it's not.

MR. LUCAS: You have classic autos.

MR. SCHLESINGER: I was going to bring that up also my primary type of car is classic autos, you know, technically 25 years or older, you know, it's harder to sell a '58 Chevy than it is a '95 Taurus so I would personally rather than sell the '58 Chevy than the '95 Taurus from a business point of view and the interest has declined a little bit in order to keep it operating as a business from an accounting point of view, I have got to make a couple extra sales. So I have to compliment my business something I didn't want to do but I have to in order to keep above water as far as accounting purposes.

MR. PETRO: You have to go to the zoning board but we want to look at this conceptually because we want to give our input when they read the minutes of the feeling of the planning board when the zoning board

receives it how many cars do you plan on fitting in the one strip there to the south, that is it?

MR. SCHLESINGER: Yeah, that is it.

MR. PETRO: About three cars?

MR. SCHLESINGER: I think my primary business of course is the restaurant, I don't want to aesthetically operation wise and you know flow wise and everything, I don't want to take anything away from the restaurant so I mean just a matter of display area, if I can put 6 cars there, 8 cars there and not affect the restaurant, any one of those point of view, that is what I'd want to do.

MR. PETRO: You have to show us later if it gets this far the actual spots where the cars will go.

MR. SCHLESINGER: That block there is what I--

MR. PETRO: You have to divide it up and show us X number of cars that will fit in the block. The other question I had if you are going to run this yourself and own it yourself, it's not going to be leased out to a car person?

MR. SCHLESINGER: Oh, no, absolutely not, myself.

MR. KARTIGANER: He'd be willing to--

MR. PETRO: It cannot be re-leased out as a car spot, couple classic cars there to sell your own vehicles.

MR. SCHLESINGER: Absolutely not, it's my business.

MR. STENT: My question would be could this as a result of doing this could one day that whole parcel become a used car lot because it's all the same plot of land?

MR. PETRO: We can restrict it to the number of cars it could have.

MR. STENT: Can we limit the numbers of cars?

MR. PETRO: If somebody wants to buy the building and use that entire property to sell four cars on that parcel, I'd like to see that done.

MR. KARTIGANER: The variance would state that as a condition anyway.

MR. SCHLESINGER: I have no problem with that.

MR. PETRO: Any other input?

MR. EDSALL: Not until we hear from the ZBa.

MR. BABCOCK: No.

MR. PETRO: Okay, I'll entertain a motion, do we have to go through this?

MR. BABCOCK: We're going to need a plan.

MR. EDSALL: An application.

MR. BABCOCK: Plan and application before we can forward it to the ZBA and I think we need to consider the--

MR. KARTIGANER: Come here and you guys reject it.

MR. BABCOCK: It's actually a referral more than a rejection but what the thing is just like Jimmy said where the cars are going to park, they are going to need a plan not you verbally saying I'm going to have three cars in this area.

MR. SCHLESINGER: I could ask, I mean I know parking spaces are 10 x 20.

MR. BABCOCK: Yes.

MR. SCHLESINGER: Do you know whether that is for display area, it has to be 10 x 20 also.

MR. EDSALL: I measured it with Neil at the workshop and it looks as if it's around 60 foot by 20 foot area and I can't imagine you can fit how much more than six

or seven cars, Bob Roger's only concern with putting the cars closer than normal is that should an unfortunate opportunity occurrence happen where one starts on fire, you do not lose all six or seven and there's an ability for the fire fighters to get in.

MR. PETRO: Or if somebody runs into one, you don't lose the whole line.

MR. EDSALL: My suggestion might be given the cars, you may not want to overconcentrate them.

MR. SCHLESINGER: Once again, back to my point, I have a restaurant, I don't want to have 25 used cars right next to the restaurant.

MR. EDSALL: I'd tend to think you're going to end up with 6 cars.

MR. SCHLESINGER: 6 or 8 cars is fine with me.

MR. EDSALL: I don't think you're going to fit more than 6, unless you go on to the DOT right-of-way which is not correct.

MR. PETRO: You're planning on operating this out of the small building there?

MR. SCHLESINGER: All I need is a little piece of paper to sell the car, a desk.

MR. KARTIGANER: Classify this as office space for parking purposes and for anything else, if he doesn't do that, somebody else comes in and uses it for an office so we preclude the difficulties associated with this.

MR. EDSALL: Jim, I have a problem with that because if you say it's vehicle sales but you're going to qualify this as an office, if it's an office it still works, you have to apply for what you want. If you want to say vehicle sales, it's only one space per thousand square foot. So you need one parking space.

MR. KARTIGANER: But the truth of the matter is it's

only 600 square feet, we have more than enough parking to meet the capacity for this.

MR. EDSALL: That proves it just gets one parking space in that area and you have already got the handicapped space there, matter of fact.

MR. LANDER: I think he's talking about the use of the building.

MR. KARTIGANER: If Neil Schlesinger car dealer doesn't work out--

MR. EDSALL: If you want to change the use, you should come back.

MR. KRIEGER: Any variance issued by the zoning board has to be limited to the, is going to be limited to the application before it. So you can't like store them up, you can't have a broad enough--

MR. EDSALL: It can't be multiple choice.

MR. KRIEGER: You have to take them one at a time.

MR. KARTIGANER: No problem.

MR. PETRO: Mark, you're going to allow the one handicapped spot to service both?

MR. EDSALL: I'm going to look at Neil also brought to my attention that they, you found some more efficient ways of striping the parking lot than possibly what the original plan showed, so we need to get an as-built plan, we'll look at the number of spaces that are required, I think it is two or three total handicapped, total spaces do you have?

MR. KARTIGANER: Two now.

MR. EDSALL: Total site?

MR. KARTIGANER: 41.

MR. EDSALL: Two handicapped spaces for the total site

if they are in between the two uses, it's perfect.

MR. SCHLESINGER: If I have to get an approval for auto sales building office, whatever you want to call it, let's say it doesn't work out and bookkeeping office wants to go in there, do they have to go for a rezoning?

MR. KARTIGANER: That is what they just said.

MR. KRIEGER: They have to go to the zoning board and apply.

MR. KARTIGANER: Planning board, not zoning board.

MR. EDSALL: That would be an allowable use because it's professional business.

MR. KRIEGER: If it's an allowable use, you don't have to.

MR. PETRO: Depends on the use, there's a lot of uses allowed in the PI zone.

MR. SCHLESINGER: So I'm not creating another problem if that doesn't work out?

MR. EDSALL: If the board has no problem considering on the planning board application two uses, just tell him I don't have any problem, it's whatever you want, we'll just make sure that the parking requirements meet whatever they apply for.

MR. LANDER: Mark, we're going to need a special permit?

MR. EDSALL: Not a special permit. If they get a variance and the professional office use is a permitted use in PI, so theoretically, they can come in here and ask for that without the variance.

MR. LANDER: Being that it is non-conforming, even though they go to the ZBA, they still won't need a special permit.

MR. EDSALL: Special permit is a use listed in a particular zone and classified as special permit, they are asking for something that is neither a use by right or special permit, they are asking for a use that is not allowed in the zone, so they need a variance, once they get the variance, it's allowed, the ZBA, by the way, Ron, if you are looking for assigning conditions with a variance, the ZBA assigns the conditions and then they obviously have to be adhered to when they come here.

MR. KARTIGANER: Thank you.

MR. PETRO: Motion to adjourn?

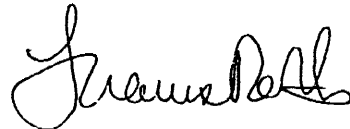
MR. STENT: So moved.

MR. LANDER: Second it.

ROLL CALL

MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

Respectfully Submitted By:



Frances Roth
Stenographer

MEMO

To: Town Planning Board

From: Town Fire Inspector

Subject: Vintage Car Display

Date: 23 October 1996

Planning Board Reference Number: PB-96-027

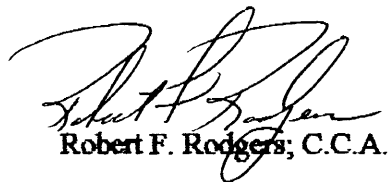
Dated: 15 October 1996

Fire Prevention Reference Number: FPS-96-049

A review of the above referenced subject site plan was conducted on 21 October 1996.

This site plan is acceptable.

Plans Dated: 7 October 1996 Revision 2.



Robert F. Rodgers; C.C.A.

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., ~~PLANNING~~, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96 - 27

DATE PLAN RECEIVED: RECEIVED OCT 15 1996

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

293 Temple Hill rd. has been

reviewed by me and is approved _____

~~disapproved~~ _____

If disapproved, please list reason _____

This Property is on town water

HIGHWAY SUPERINTENDENT DATE

Steve DiDio - 10-21-96
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

RECEIVED

OCT 16 1996

N.W. HIGHWAY DEPT.

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, ~~LEGWAY~~

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96 - 27

DATE PLAN RECEIVED: RECEIVED OCT 15 1996

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved ✓

disapproved _____.

If disapproved, please list reason _____

W. James Sullivan 10/18/96
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF

New Windsor

P/B #

1-3

WORK SESSION DATE:

2 Oct 96

APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED:

No

Full App

PROJECT NAME:

Schlesinger's

PROJECT STATUS:

NEW

X

OLD

REPRESENTATIVE PRESENT:

Drew K.

MUNIC REPS PRESENT:

BLDG INSP.

part

FIRE INSP.

X

ENGINEER

X

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- P/B must approve undersized spaces for car display
- per Mike B - previous use variance for restaurant.
- Drew to ck re 3 spaces in front (limit width)
- Bulk table proposed only.

maybe 10/9



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF

New Windsor

P/B # 96-27

WORK SESSION DATE:

4 Sept 96

APPLICANT RESUB.

REQUIRED:

Very full later

REAPPEARANCE AT W/S REQUESTED:

after break

PROJECT NAME:

Schlesinger - (Auto)

PROJECT STATUS:

NEW

x

OLD

REPRESENTATIVE PRESENT:

Neil Schlen

MUNIC REPS PRESENT:

BLDG INSP.

?

FIRE INSP.

AS

ENGINEER

x

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

show new plat layout

new 5/P (valdina did old) 91-27

60' x 20 vehicle display area

Catering → antique cars.

1/1000 vehicle sales

1/3 restaurant

discuss classification - 1/3

Present Conf

9/11

4MJE91 pbwsform



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF NEW WINDSOR P/B # 96 - 27
WORK SESSION DATE: 21 Aug 96 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: Not Now
PROJECT NAME: Schlessenger used car
PROJECT STATUS: NEW ☒ OLD ☐
REPRESENTATIVE PRESENT: Neil Schlessenger
MUNIC REPS PRESENT: BLDG INSP. ☐
FIRE INSP. Bob
ENGINEER ☒
PLANNER ☐
P/B CHMN. ☐
OTHER (Specify) ☐

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Forme Love Star (207) NK
- Neil Schlessenger - (restaurant form)
- Says several buildings along 207 have used car sales. He wants also.

Myra - set up Presub Conf.
8/28

4MJE91 pbwsform

Licensed in New York, New Jersey and Pennsylvania

8/22/96
Neil Schlessenger called
and said he would let
us know when he is
ready to get on agenda.
C



TOWN OF NEW WINDSOR

96-27

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

"XX"

APPLICATION TO:
TOWN OF NEW WINDSOR PLANNING BOARD

178 TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Chg. _____ Site Plan X Spec. Permit _____

1. Name of Project 293 TEMPLE HILL ROAD, INC. SITE PLAN
2. Name of Applicant 293 TEMPLE HILL RD, INC Phone 561-1762
Address 293 TEMPLE HILL RD NEW WINDSOR NY 12553
(Street No. & Name) (Post Office) (State) (zip)
3. Owner of Record 293 TEMPLE HILL RD INC Phone 561-1762
Address 293 TEMPLE HILL RD NEW WINDSOR, NY 12553
(Street No. & Name) (Post Office) (State) (zip)
4. Person Preparing Plan DREW KORTIGANER, ARCHITECT
Address 555 BLOOMING GROVE TRK NEW WINDSOR, NY 12553
(Street No. & Name) (Post Office) (State) (zip)
5. Attorney N/A Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (zip)
6. Person to be notified to represent applicant at Planning Board Meeting DREW KORTIGANER Phone 562-4499
(Name)
7. Project Location: On the SE side of MOO/TEMPLE HILL RD
MOO ft feet SOUTH EAST of UNION AVENUE
(direction) (street)
8. Project Data: Acreage of Parcel 1.37000 AC Zone P-I
School Dist. NEW WINDSOR
9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y _____ N X

If you answer "yes" to question 9, please complete the attached Agricultural Data Statement.

10. Tax Map Designation: Section 4 Block 3 Lot 11

11. General Description of Project: PROPOSED USE FOR DISPLAY AND
SALE OF USED AUTOMOBILES AT FRONT OF SITE IN PREVIOUS OFFICE AREA
& EXCESS PARKING ZONE/ ALSO SITE PLAN APPROVAL FOR REVISIONS IN
PREVIOUS PARKING LOT LAYOUT

12. Has the Zoning Board of Appeals granted any variances for this property? X yes no. (RESTURANT / TO BE REMOVED)

13. Has a Special Permit previously been granted for this property? yes no.

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the property owner, a separate notarized statement from the owner must be submitted, authorizing this application.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application and supporting documents and drawings are true and accurate to the best of his/her knowledge and/or belief. The applicant further acknowledges responsibility to the Town for all fees and costs associated with the review of this application.

Sworn before me this
15th day of OCTOBER 1996

297 TEMPLE HILL ROAD, INC by
[Signature]
Applicant's Signature

[Signature]
Notary Public

SUSAN L. HOFFMAN
Notary Public, State of New York
No. 304504124
Qualified in Orange County
Commission Expires March 30, 1997

TOWN USE ONLY:

RECEIVED OCT 15 1996

Date Application Received

96 - 27

Application Number

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

<p>1. APPLICANT /SPONSOR 293 TEMPLE HILL ROAD, INC.</p>	<p>2. PROJECT NAME PARKING LOT REVISION & VINTAGE CAR DISPLAY & SALES</p>
<p>3. PROJECT LOCATION: Municipality NEW WINDSOR County ORANGE</p>	
<p>4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 293 TEMPLE HILL ROAD, NEW WINDSOR, NY.</p>	
<p>5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration </p>	
<p>6. DESCRIBE PROJECT BRIEFLY: REVISE PARKING LAYOUT FROM PRIOR APPROVAL FOR RESTAURANT. PROVIDE FOR DISPLAY & SALES OF USED AUTO'S AT FRONT ACCESSORY BUILDING & PARKING AREA</p>	
<p>7. AMOUNT OF LAND AFFECTED: Initially 20 A acres Ultimately 20 acres</p>	
<p>8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly VARIANCE FOR USE REQUIRED </p>	
<p>9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: AUTO REPAIR, TIRE REPAIR, RESTAURANT, STORAGE & DISTRIBUTION FACILITIES PARKING, COMMERCIAL OFFICE </p>	
<p>10. DOES ACTION INVOLVE A PERMIT APPROVAL OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals ZONING BOARD OF APPEALS, NEW WINDSOR </p>	
<p>11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval V17/G2 NEW WINDSOR PLANNING BOARD </p>	
<p>12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No IDE PLAN EXISTS FOR RESTAURANT </p>	
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE</p>	
<p>Applicant/sponsor name: DREW A. KARTIGANER, ARCHITECT Date: 10/14/96</p>	
<p>Signature: DWA kg</p>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

96 - 27

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate review process and use the FULL EAF.
☐ Yes ☒ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
☒ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 NO

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 NO

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 NO

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
 NO / AREA IS ALREADY PLANNED FOR PARKING—THERE IS MORE PARKING THAN REQUIRED ON SITE / BUILDING USE AS OFFICE ALREADY APPROVED

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
 NO

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
 NO

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
 NO

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☒ No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

 Name of Lead Agency

 Print or Type Name of Responsible Officer in Lead Agency

 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (if different from responsible officer)

 Date

If applicable "XX"

TOWN OF NEW WINDSOR PLANNING BOARD
SITE PLAN CHECKLIST

ITEM

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Site Plan Title | 29. <input checked="" type="checkbox"/> Curbing Locations |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s) | 30. <u>NA</u> Curbing Through Section |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es) | 31. <u>NA</u> Catch Basin Locations |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name | 32. <u>NA</u> Catch Basin Through Section |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address | 33. <u>NA</u> Storm Drainage |
| 6. <input checked="" type="checkbox"/> Drawing Date <input checked="" type="checkbox"/> | 34. <input checked="" type="checkbox"/> Refuse Storage |
| 7. <input checked="" type="checkbox"/> Revision Dates <input checked="" type="checkbox"/> | 35. <input checked="" type="checkbox"/> Other Outdoor Storage |
| 8. <input checked="" type="checkbox"/> Area Map Inset <input checked="" type="checkbox"/> | 36. <u>NA</u> Water Supply |
| 9. <input type="checkbox"/> Site Designation | 37. <u>NA</u> Sanitary Disposal System |
| 10. <input type="checkbox"/> Properties Within 500' of Site | 38. <u>NA</u> Fire Hydrants |
| 11. <input type="checkbox"/> Property Owners (Item #10) | 39. <input checked="" type="checkbox"/> Building Locations |
| 12. <input checked="" type="checkbox"/> Plot Plan <input checked="" type="checkbox"/> | 40. <u>NA</u> Building Setbacks <u>EXIST</u> |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser) <input checked="" type="checkbox"/> | 41. <u>NA</u> Front Building Elevations |
| 14. <input checked="" type="checkbox"/> Metes and Bounds <input checked="" type="checkbox"/> | 42. <input checked="" type="checkbox"/> Divisions of Occupancy |
| 15. <input checked="" type="checkbox"/> Zoning Designation <input checked="" type="checkbox"/> | 43. <u>NA</u> Sign Details |
| 16. <input checked="" type="checkbox"/> North Arrow <input checked="" type="checkbox"/> | 44. <input checked="" type="checkbox"/> Bulk Table Inset |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners | 45. <u>41440</u> Property Area (Nearest 100 sq. ft.) - <input checked="" type="checkbox"/> |
| 18. <input checked="" type="checkbox"/> Existing Building Locations | 46. <u>72</u> Building Coverage (sq. ft.) <input checked="" type="checkbox"/> |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas | 47. <u>28124</u> Building Coverage (% of Total Area) <input checked="" type="checkbox"/> |
| 20. <input checked="" type="checkbox"/> Existing Vegetation | 48. <u>724000</u> Pavement Coverage (sq. ft.) <input checked="" type="checkbox"/> |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress | 49. <u>606</u> Pavement Coverage (% of Total Area) <input checked="" type="checkbox"/> |
| <u>PROPOSED IMPROVEMENTS</u> | |
| 22. <u>NA</u> Landscaping <input checked="" type="checkbox"/> <u>EXIST</u> | 50. <u>434</u> Open Space (sq. ft.) <input checked="" type="checkbox"/> |
| 23. <u>NA</u> Exterior Lighting <u>EXIST</u> | 51. <u>1745</u> Open Space (% of Total Area) <input checked="" type="checkbox"/> |
| 24. <u>NA</u> Screening <u>EXIST</u> | 52. <input checked="" type="checkbox"/> No. of Parking Spaces Prop. |
| 25. <u>NA</u> Access & Egress | 53. <input checked="" type="checkbox"/> No. of Parking Spaces Req. |
| 26. <input checked="" type="checkbox"/> Parking Areas <u>REVIEWED</u> | |
| 27. <u>NA</u> Loading Areas <u>EXIST</u> | |
| 28. <u>NA</u> Paving Details <u>EXIST</u> | |
| (Items 25-27) | |

"XX"

APPLICANT'S PROXY STATEMENT
(for professional representation)

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

293 TEMPLE HILL ROAD, INC. by.

Neil Schlesinger, President
(Applicant)

deposes and says that he

resides at 88 Station Road, Rock Tavern N.Y. 12575
(Applicant's Address)in the County of ORANGEand State of NEW YORKand that he is the applicant for the 293 Temple Hill Road

(Project Name and Description)

which is the premises described in the foregoing application and

that he has authorized

DREW KARTIGANER

(Professional Representative)

to make the foregoing application as described therein.

Date: 10-15-96[Signature]
(Owner's Signature)[Signature]
(Witness' Signature)THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

REC-162
"XX"

ATTACHMENTS

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance

NOT IN FLOOD
PLUM Dred ~~Kastjane~~

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.